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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/045,524

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Randolph E. Crutchfield

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7590

09/22/2005

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EXAMINER

GRIER, LAURA A

ART UNIT

PAPER NUMBER

2644

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/045,524	Applicant(s) CRUTCHFIELD, RANDOLPH E.	
	Examiner Laura A. Grier	Art Unit 2644	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 32-37 are rejected under 35 U.S.C. 102(b) as being anticipated by U. S. Patent No. 5307326.

Regarding claims 32, Osawa discloses a cassette adapter for signal playback apparatus. Osawa disclosure comprises an impedance adjusting circuit (11), which indicates a selectively variable impedance; and control signal processing circuit (10) for providing a control signal to the impedance adjusting circuit of a cassette player (2) for on and off states, which indicates a control for two states– figures 1 and 2, col. 1, lines 63-68, col. 3, lines 43-53, col. 2, lines 5-11 and col. 2, lines 52-56. Osawa further discloses that performance on the invention may be utilized in a digital audio tape recorder of the like (col. 5, lines 57-61), which indicates a remote device in the form of a digital audio player

Regarding claim 33, Osawa discloses everything claimed as applied above (see claim 32). Osawa discloses a cassette tape (figures 1-2 and reference 4A), which reads on the device.

Regarding claim 34, Osawa discloses everything claimed as applied above (see claim 32). Osawa discloses detection means for detecting the operations of the cassette player and provides

thereto for controlling the impedance (col. 2, lines 5-11 and col. 3, lines 28-31, 43-53), which reads on the sensor.

Regarding claim 35, Osawa discloses a cassette adapter for signal playback apparatus. Osawa disclosure comprises control signal processing circuit (10) for providing a control signal to the impedance adjusting circuit of a cassette player (2) for on and off states, which indicates a control for two states – col. 2, lines 52-56, col. 3, lines 43-53, 64-68 and col. 4, lines 3-11, which indicates varying the impedance.

Regarding claim 36, Osawa discloses everything claimed as applied above (see claim 35). Osawa discloses the detect of an operational state of a cassette player enabling a control signal to be provided via the impedance adjusting circuit, which indicates receiving a cassette player command and translating the command for varying impedance - col. 1, lines 55-68 and col. 2, lines 1-11 and col. 3, lines 43-53, 64-68.

Regarding claim 37, Osawa discloses everything claimed as applied above (see claim 35). Osawa further discloses that performance on the invention may be utilized in a digital audio tape recorder of the like (col. 5, lines 57-61), which indicates a remote device in the form of a digital audio player.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 38-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Osawa.

Regarding claim 38, Osawa discloses a cassette adapter for signal playback apparatus. Osawa disclosure comprises an impedance adjusting circuit (11) and control signal processing circuit (10) for providing a control signal to the impedance adjusting circuit of a cassette player, which may constitute as a interface coupled thereto— figures 1 and 2, col. 3, lines 43-53, col. 2, lines 5-11 and col. 2, lines 52-56. However, Osawa fails to disclose an impedance level detector. The use of an impedance detector was well known in the art. Thus, it would have been obvious to one of the ordinary skill in the art at time the invention was made to modify the invention of Osawa by providing an impedance level detector for the purpose detecting the change in the impedance during different operating conditions.

Regarding claim 39, Osawa discloses everything claimed as applied above (see claim 38). Osawa discloses the two operating states (on/off) in which the a control signal is generating in respect to the impedance adjusting circuit.

Regarding claim 41, Osawa discloses everything claimed as applied above (see claim 38). Osawa discloses the two operating states (on/off) in which a control signal is generated in respect to the impedance adjusting circuit. And, thus, it would have been obvious to incorporate more level of impedance detection in respect to various operating states or condition of an audio player.

Regarding claim 41, Osawa discloses everything claimed as applied above (see claim 38). Osawa discloses the two operating states (on/off) in which the a control signal is generating in respect to the impedance adjusting circuit, which would provide obvious support of either condition of play, stop, pause or rewind.

Response to Arguments

5. Applicant's arguments filed 7/8/05 have been fully considered but they are not persuasive.

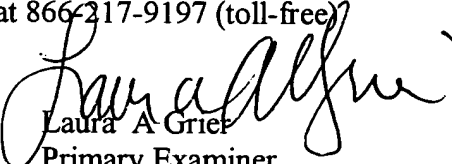
The applicant essentially argues that the amended claim language of the claimed inventions is not taught by the prior art reference, Osawa. The limitation of a control receiving one of two different states is indicated by Osawa as evident of the controls forward in the respect to on and off states, and considering the invention of Osawa, providing an impedance level would have an obvious modification. The claimed invention has been considered in respect to the broadest interpretation of the claim language, thus the Osawa prior art rejection is maintained.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura A. Grier whose telephone number is (571) 272-7518. The examiner can normally be reached on Monday - Friday, 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (571) 272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Laura A. Grier
Primary Examiner
Art Unit 2644
September 19, 2005